

• AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of Massachusetts

ALL STATES ASPHALT, INC. and  
NEW ENGLAND EMULSIONS CORP.

v.

FIREMAN'S FUND INSURANCE COMPANY,

SUMMONS IN A CIVIL CASE

CASE NUMBER: 05-30022-KPN

TO: (Name and address of Defendant)

Fireman's Fund Insurance Company  
Division of Insurance  
Legal Department  
One South Station  
Boston, MA 02110-2208

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Paul H. Rothschild, Esq.  
Bacon & Wilson, P.C.  
33 State Street  
Springfield, MA 01103

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

DATE

January 25, 2005

(By) DEPUTY CLERK

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**RETURN OF SERVICE**Service of the Summons and complaint was made by me<sup>(1)</sup>

DATE

NAME OF SERVER (PRINT)

TITLE

*Check one box below to indicate appropriate method of service***G** Served personally upon the defendant. Place where served: \_\_\_\_\_**G** Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

**G** Returned unexecuted: \_\_\_\_\_**G** Other (specify): \_\_\_\_\_**STATEMENT OF SERVICE FEES**

TRAVEL

SERVICES

TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_

Date

Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_

Deputy Sheriff George Silva

Deputy Sheriff George Silva

I hereby certify and return that on 2/1/2005 at 8:25AM I served two copies copy of the within Summons, Complaint and Cover Sheet in this action together with \$6.00 in fees, upon the within named Fireman's Fund Insurance Company in the following manner (See Mass. R. Civ. P. 4(d)), by leaving at the office of the Insurance Commissioner for the Commonwealth the true and lawful attorney of the said corporation upon whom service of all lawful process may be made U.S. District Court Service was made by giving in hand to T. Torres agent in charge at time of service. Fee (\$5.00), Basic Service Fee (1H) (\$30.00), Travel (\$1.00), Postage and Handling (\$1.00), Attest/Copies (\$10.00) Total Charges \$47.00

February 3, 2005

Deputy Sheriff



Suffolk, ss.

Suffolk County Sheriff's Department • 45 Bromfield Street • Boston, MA 02108 • (617) 989-6999

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